

REMARKS/ARGUMENTS

I. STATUS OF CLAIMS

Claims 1-30 remain in this application. Claim 22 has been amended.

II. CLAIMS REJECTED –35 U.S.C. § 112

Claim 22 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended Claim 22 to correct the antecedent basis.

Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §112.

III. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejected Claims 1-2, 4-17, 19-25 and 28-30 under 35 U.S.C. § 103(a) as being unpatentable over Beranek et al. (6,226,642) in view of Kavner (6,366,947). The rejection is respectfully traversed.

Claim 1 appears as follows:

1. A method of optimizing retrieval of electronic documents,
comprising the computer-implemented steps of:
receiving a first electronic document;
identifying one or more symbolic references to other electronic
documents within the first electronic document;

determining a network address of each of the other electronic documents corresponding to each of the symbolic references;
creating and storing a modified copy of the first electronic document in which the network address is substituted for each corresponding symbolic reference;
delivering the modified copy of the electronic document in response to all subsequent client requests for the first electronic document.

In particular, there is no teaching or suggestion in the Berenak and Kavner references to combine Berenak and Kavner as the Office Action suggests.

The Office Action points out that Berenak teaches that URLs can be changed. However, Berenak does not describe how URLs can be changed. Berenak makes a casual mention of changing URLs in col. 3, lines 22-30:

“A filter mechanism is then used to re-format the Web document according to some given protocol or filter property, and the re-formatted Web document is then passed to the browser for display. Thus, for example, the filter may adjust or modify foreground/background colors, override font types and size, control display geometry (e.g., by reserving some dedicated display area), change URLs or display other URLs, embed files, add, remove or reconfigure frames, or control text and table formats.”

Berenak does state that the motivation for his invention is to provide control over the “look and feel” of the data received from the Web server. Col. 11, lines 1-11 state:

“The proxy 225 thus provides control over the “look and feel” of the data received from the Web server. Thus, by way of example only, the caching proxy 225 is used to control foreground and background colors, to override font types and size, to control

display geometry (e.g., space reservation on the display), to display other URLs within the current page, to add links, to modify links, to add or modify scripts, to embed sounds, animations, videos and/or other files, to add/remove/reconfigure frames on the page and/or to control text/table formatting.”

Thus, Berenak teaches away from combining Berenak and Kavner as the Office Action suggests because Berenak is concerned with the "look and feel" of the data received from the Web server, not inherently increasing the speed of the system as the Office Action suggests.

Kavner, on the other hand teaches that speeding up the response time for user access to a Web page is achieved by caching the entire page and the intelligent pre-loading of Web page resources that are likely to be selected. The only reason why Kavner caches a TCP/IP address is to check for any updates to the Web page during the background processing. This does not inherently increase the speed of the system as the Office Action states.

Col. 12, lines 23-33 state:

“In accordance with the principles of the present invention, "get" calls, calls that go out over the network to retrieve data from the servers, are accelerated by the modified instruction set immediately presenting cached data to the user and downloading modified data in the background. From the viewpoint of web browser 201, it appears that the call is going out over Internet 120. Instead, computer 100, operating according to modified network user interface 400 and, as shown in FIG. 6, first looks in a local storage cache for the needed data. If the data is found in the cache, it is passed to the network user interface for presentation to the user.”

Kavner describes the intelligent fetch operation as assisting in speeding the system's response time. Col. 16, lines 49-58 state:

“The intelligent fetch feature of the present invention pre-loads information associated with a currently selected resource, such as the resources of hypertext links displayed on a current web page, in order that when the user accesses this information, it is displayed immediately instead of waiting to download it when selected. Accordingly, while the user is viewing or otherwise assimilating current information, the present invention operates in the background to fetch associated information which is likely to be selected.”

Also, in Col. 17, lines 3-15:

“Accordingly, in the Internet example the intelligent fetch aspect of the invention permits the user to utilize a particular web page, while, in the background, the present invention pre-fetches all the associated hypertext links that are present on that page that can be downloaded before the user selects a link. The order of download is intelligently selected by the present invention to maximize the possibility of completing a background download of the link next to be selected. As described above this is preferably accomplished using a knowledge base of links previously accessed by the user in order to first pre-fetch the links that a user has visited previously and, thereafter, pre-fetch the links that the user has never seen before.”

Given the teachings of Berenak and Kavner, the changing of the URLs in a Web page as suggested by the Office Action could only have been made obvious from information gleaned from the present invention. Such use of hindsight is impermissible.

Thus, it would not have been obvious to one of ordinary skill in the art at the time of the invention to have combined Berenak and Kavner as the Office Action suggests, but

rather Kavner's caching of the entire Web page and intelligent fetch would have been the obvious modifications to Berenak to inherently increase the speed of the system, using the Office Action's rationale. Berenak's system takes time to filter a Web page and would greatly benefit in speed by incorporating Kavner's intelligent fetch.

Changing the URLs as the Office Action suggests would slow down Berenak's filter process because Berenak's system would have to wait for DNS resolution of each URL on the Web page. A user using Berenak's system as modified as the Office Action suggests would have to wait longer for a Web page to be displayed than with Berenak's unmodified system. This further demonstrates that the Office Action's combination of Berenak and Kavner uses information gleaned from the present invention.

Therefore, Beranek in view of Kavner does not teach or disclose the invention as claimed.

Claim 1 is allowable. Independent Claims 11-16 and 29 are similarly allowable. Claims 2, 4-10, and 28 are dependent upon Claim 1 and are allowable. Claims 19-25 and 27 are dependent upon Claim 16 and are allowable. Claim 30 is dependent upon Claim 29 and is allowable. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

IV. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejected Claims 3, 18 and 26-27 under 35 U.S.C. § 103(a) as being unpatentable over Beranek et al. (6,226,642) in view of Kavner (6,366,947), as applied to claims 1 and 16 above, and further in view of Admitted Prior Art (APA).

The rejection under 35 USC §103(a) is deemed moot in view of Applicant's comments regarding Claims 1, 11-16 and 29, above. Claims 3 and 26 are dependent

upon Independent Claim 1. Claims 18 and 27 are dependent upon Independent Claim 16. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 USC §103(a).

V. MISCELLANEOUS

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

The Applicants believe that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate. Entry of the amendments herein and further examination on the merits are respectfully requested.


The Examiner is invited to telephone the undersigned at (408) 414-1214 to discuss any issue that may advance prosecution.

No fee is believed to be due specifically in connection with this Reply. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in connection with this Reply to our Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: July 15, 2004

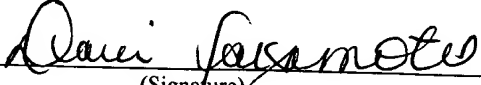

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